



FRANKLIN COUNTY BUILDING AND ZONING DEPARTMENT

248 US HIGHWAY 98, EASTPOINT, FL 32328 • 850-653-9783

OWNER/BUILDER INFORMATION PACKET

Learning to navigate through the process of planning, permitting and completing a new construction or renovation project as an owner/builder can be very challenging. Often owner/builders do not fully understand the level of commitment and liability associated with this type of construction.

Our goal is to make your construction project as seamless and stress-free as possible!

This information packet is designed to:

1. Educate property owners regarding the responsibilities and liability of choosing to be an owner/builder
2. Help determine if being an owner/builder is the right choice for you
3. Help owner/builders navigate the process from planning the project to completion of the project

If you think that choosing to be an owner/builder is right for you, please read this entire packet. We also encourage you to visit our zoning and building websites, where you will find answers to most questions and many great resources. Please contact our office at the email/phone number listed above with any questions.

Owner/Builder Responsibilities:

State law requires construction to be done by licensed contractors. However, property owners are allowed to permit construction projects under an exemption in the Florida Statutes, Chapter 489.103 (7). The exemption allows you, as the owner of your property, to act as your own contractor with some specific limitations and restrictions. For a full list of restrictions, please refer to the above listed Florida Statute. Some noteworthy Owner/Builder restrictions are listed below:

- The building must be for your own use or occupancy – May not be a rental.
- You must provide direct, onsite supervision of the construction yourself.
- You may not delegate the responsibility for supervising work to an unlicensed person to act as your contractor or to supervise people working on your project. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances.
- Any person working on your building who is not licensed must work under your direct supervision and must be employed by you, which means that you must deduct F.I.C.A. and withholding tax and provide workers' compensation for that employee, all as prescribed by law.
- Construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.
 - Owner/Builders have the same requirements as licensed contractors to meet all regulatory requirements
- Commercial projects may be permitted as owner/builder permits if the project is under \$75,000
 - Must be for your own use or occupancy - May not be a rental.

Owner/Builder projects may not be built or substantially improved for sale or lease. If you sell or lease a building you have built or substantially improved as an owner/builder within 1 year after the construction is complete, the law will presume that you built or substantially improved it for sale or lease, which is a violation of this exemption.

Signature of Owner/Builder

Date

You will be held to the SAME STANDARDS AS A LICENSED CONTRACTOR.

Applying for an Owner/Builder permit means that you take full responsibility for your project, and you are acting as your own contractor. This exception to the above listed Florida Statute does not grant exceptions to the Florida Building Code.

Owner/Builders MUST be able to read and understand the Florida Building Code.

Building department staff will not look up Florida Building Code for you. We will discuss building codes with you, to the same extent that we do with licensed contractors. We cannot teach you how to be a contractor.

Owner/Builders MUST be able to read and understand building plans.

Construction projects are required to be constructed based on the approved building plans that are in the permit file. Any changes or variations from the approved plans must be approved by the building official.

Owner/Builders MUST abide by all local, state, and federal requirements.

In addition to FBC, you must know the local, state, and federal requirements for your project. These requirements often differ from property to property.

- How is your property zoned?
- What are your setbacks? Can all aspects of your project meet the setbacks?
- Does your property have wetlands present?
- What is the flood zone?

By signing below, I, _____, attest that I have read this packet provided by the Franklin County Building Department. I understand my responsibilities regarding my decision to be an Owner/Builder.

Signature of Owner/Builder

Date

Notary Signature

Date

Seal

Notary Name (print)

Things to consider prior to making the decision to act as an Owner/Builder

Are you saving time?

Owner/Builder projects often take much longer than projects completed by licensed contractors. Most contractors know exactly what is required for the entire permitting and building process; and they know exactly at what point each step is required. Additionally, contractors already have a relationship established with the subcontractors that they use. This means that they have already been through a vetting process and are known to be trustworthy, skilled and dependable. This typically results in a smoother and much faster process; and avoids unexpected costs and delays.

Owner/Builder projects are often met with unforeseen delays.

Have you considered:

- Do you know which documents are required for your project and when they are due?
- How to stay on top of required inspections and when should they be scheduled?
- Scheduling deliveries and out-of-town trips to pick up supplies that you can't get in town
- Scheduling subcontractors to keep your job on schedule
- Unreliability of workers
- The financial and time expense of failed inspections

Keep in mind that lenders will require that you keep to a strict schedule.

Are you saving money?

Owner Builders typically expect to save money by acting as their own contractor. Sadly, we have had many situations where property owners faced major unforeseen expenses. The worst unexpected cost is when unlicensed workers get paid for work that they do not complete. Unfortunately, we see this often in Owner/Builder projects. Other unexpected costs include (but are not limited to):

- State law requires unlicensed people working on your job to be employed by you, which means that you must deduct F.I.C.A. and withholding tax and provide workers' compensation for that employee.
- Reinspection fees (when work does not meet FBC)
- Fines for missing Workers' compensation

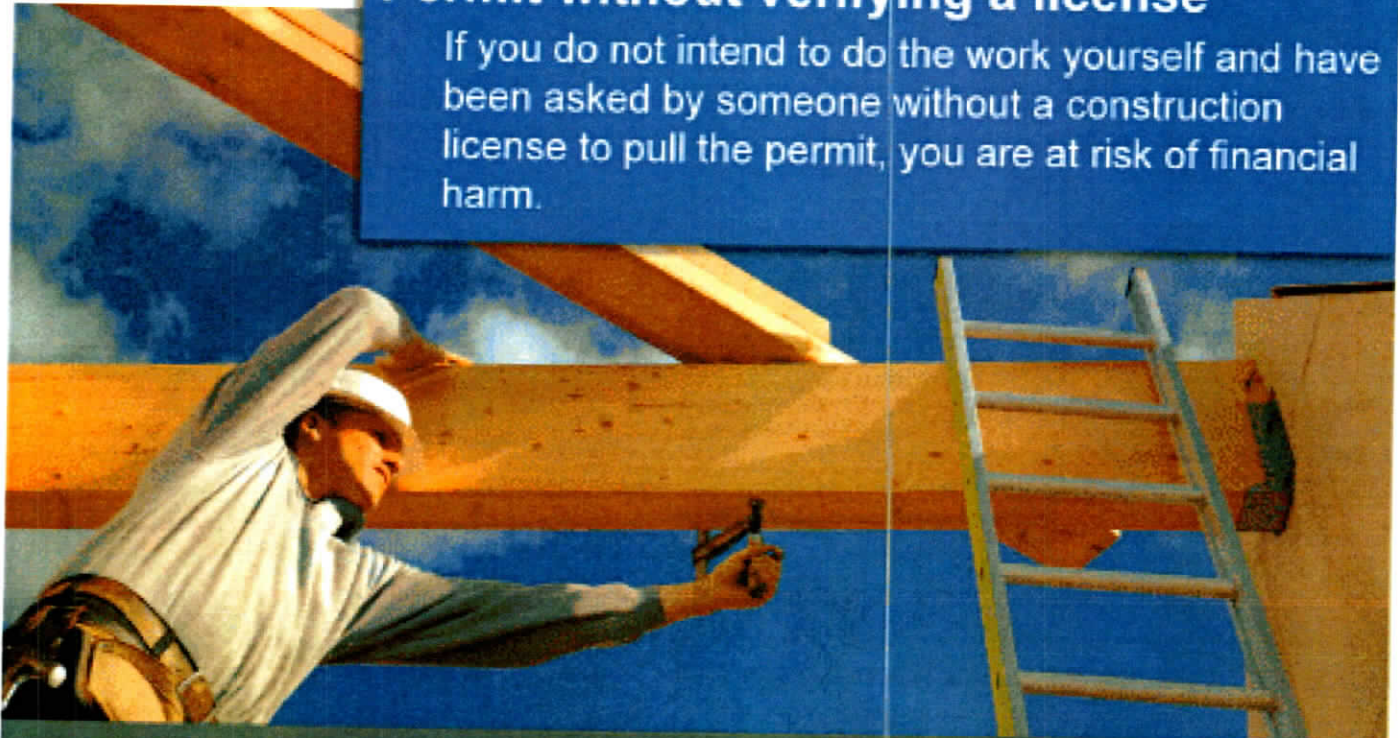
These are just a few things to help you start thinking about the additional responsibilities and struggles that Owner/Builders face. There are many other things to consider prior to committing to being an Owner/Builder.

You have the right to hire a licensed contractor at any point during your project, but many contractors will not consider taking over a project that is partially completed. We strongly encourage you to make sure that this is the best option for you before you start your project.



The dangers of pulling an Owner/Builder Permit without verifying a license

If you do not intend to do the work yourself and have been asked by someone without a construction license to pull the permit, you are at risk of financial harm.



When property owners act as their own contractor, they must provide direct on-site supervision of the work being performed. If you pull an owner/builder permit for an unlicensed contractor to perform work on your property, you must deduct F.I.C.A., withholding tax and provide workers' compensation for them.

Individuals who aid unlicensed persons may face fines up to \$5,000.

Without worker's compensation insurance, you could:

- Be held liable for injuries that occur on your property
- Not be covered under your homeowners' insurance policy

Dangers of Unlicensed Activity:

- Poor qualifications
- Poor quality work
- Possible criminal background
- Likely to be victim of a scam
- Limited resources for broken contracts



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I have decided to be an Owner/Builder for my new construction or renovation project; what comes next?

- Learn to navigate our websites. The websites below provide very useful information, helpful resources and answer most questions.
 - <https://zoning.franklincountyflorida.gov>
 - <https://building.franklincountyflorida.gov>
- Learn to navigate our permit portal – found in the “Apply for a Permit” section of the building department website.
- Familiarize yourself with the required documents for permitting and for receiving the Certificate of Occupancy (CO).
- Familiarize yourself with the required inspections – Missed inspections will likely result in finished work being removed in order to complete the missed inspection.
- **Incomplete Applications are not accepted.**

Portal Tips:

- Create a folder on your desktop and save all permitting documents to that folder for easy access.
- Save documents by their type to make it easier to identify and place in correct fields.
 - Example - Septic permit for 75 Main St should be titled “75 Main St- Septic”
- Save each document as a separate file, be sure to include all pages within one file.
 - Example – all pages of the building plans should be saved as one file.
- Be sure to add required documents to the correct fields.
 - When files are added in the wrong location, it may be missed – resulting in your file being returned as incomplete.
- Be sure to include all required documentation – **INCOMPLETE FILES WILL ALWAYS BE RETURNED.**
- If you are building in a Special Flood Hazard Area, be sure to submit all flood related documents.
- Be sure that all documents that are required to be signed/sealed have been signed/sealed.
- Site plans must be to scale on a survey and must show that all setbacks are met.
- Supplementals – If you plan to hire sub-contractors for Electrical, Plumbing, etc. A supplemental application signed by the contractor must be included in your application.

Required Inspections:

- ☐ Temporary Power Pole
- ☐ Foundation - Foundation inspection requirements vary depending on the type of foundation you choose for your new construction project. **Know what is required before you start!**
- ☐ Sheathing
- ☐ Framing
- ☐ Electrical, Mechanical, Plumbing – Rough (gas- if applicable)
- ☐ Roofing
- ☐ Insulation
- ☐ Drywall
- ☐ Temporary Permanent Power
- ☐ Electrical, Mechanical, Plumbing—Final
(gas – if applicable)
- ☐ Final Inspection

Specific foundation Information for this project:

Foundation type: _____

Foundation inspection requirements: _____

I, _____, understand the above inspection requirements and attest that I will have all required inspections completed for my project located at:

Owner/Builder

Date